

REMARKS

The Office Action issued by the Examiner on July 10, 2008 and the citations referred to in the Office Action have been carefully considered. Claims 57-71 and 89, 90 stand rejected. Claims 72-88 stand allowed. Claims 57, 63, 72-79, 85, 86, 88-90 have been amended to read as set forth above. Prompt reconsideration is requested in view of the above amendments and the following remarks.

Claim Rejection- 35 USC 101

Claims 63, 89, and 90 stand rejected as not being directed to statutory subject matter. The examiner states that these claims are directed to instructions per se, and thus they are not statutory per MPEP 2100. Claims 63, 89 and 90 have been amended so as to be directed to a configured medium player. As such, the medium player is believed to be statutory. This rejection should now be withdrawn.

Claim Rejections - 35 USC 102

Claims 57 and 63 stand rejected as anticipated by Harayama et al. Claims 57 and 63 have been further amended to distinguish over this reference. Support for the claim amendments again is specifically found in paragraph [0037] of Applicants' specification. Amended claim 57 and the dependent claims 58 through 62, claim 63 and dependent claims 64-71 depending therefrom are believed to patentably distinguish over Harayama et al. Harayama et al. does not disclose providing a single medium main menu for a predetermined time period upon insertion of the medium into the player inviting an interaction from a user by presenting to the user a choice between a fast play option and a standard play option during the predetermined time period; and proceeding to play the contents of the medium in an uninterrupted sequence, including a feature presentation, under the fast play option after the pre-determined timeout has lapsed without any interaction from the user. This rejection should now be withdrawn.

Claims 63-67, also stand rejected as anticipated by Hosoi et al. It is respectfully submitted that amended independent claim 63 patentably distinguishes over Hosoi et al. Hosoi does not disclose or suggest each and every limitation now set forth in claim 63.

A translation of the Hosoi et al reference is submitted herewith. The Hosoi et al reference teaches automatic play of a DVD upon insertion of the DVD into a DVD player. It does not disclose or suggest 1) first presenting a main menu providing a fast play option and a standard play option and 2) proceeding with play, including the feature presentation, in an uninterrupted sequence after a predetermined time has lapsed if no play option selection is received by the player as is claimed in claim 63. Instead, Hosoi teaches straightforward automatic play of a DVD upon insertion of the DVD in a player. It does not disclose or suggest the display of menus or options as is claimed. Accordingly, this anticipation rejection of claims 63-67 should be withdrawn.

Claims 63-71 also stand rejected as anticipated by DISNEY PIXAR, MONSTER, INC. 2001 (hereinafter PIXAR). This rejection is completely without merit and should be withdrawn. This DVD, upon insertion into a player, initially displays a first menu for about 2 seconds that states "Press MENU to play movie or select other options." At the expiration of the two second period, the DVD automatically plays the previews and trailers and then stops and displays a second menu that is a "standard" menu, awaiting option input from the user. This second menu lists five options: "Play", "Scene Selection", "Set Up", "Sneak Peaks", and "Bonus Features". If no user input is received, this menu remains displayed indefinitely until the player is either turned off or the disc removed.

First, there is, in fact, no main menu on this DVD "providing a fast play option and a standard play option." Second, there is no playing, or instruction set that instructs the medium player to play the plurality of data blocks of the medium including the feature presentation in a pre-determined uninterrupted sequence if no play option is received by the player from a user within a predetermined time as is claimed. Third, there is clearly nothing on the Monsters Inc. "Collectors Edition 2-Disc DVD" front and back cover, the reference cited by the examiner, that

suggests such a configuration. Since there is nothing in the printed matter on the front and back cover, nor actually on this DVD, that discloses or suggests what is claimed, independent claim 63 is believed to clearly be allowable over this reference. The claims depending therefrom are also believed to be allowable for the same reasons. Accordingly this rejection should be withdrawn.

Claim Rejections 35 USC 103

Claims 69, 70 and 71 stand rejected as unpatentable over Harayama or Hosoi in view of Official Notice. These claims depend from amended claim 63 and are believed to be allowable for the same reason as claim 63. Therefore this rejection should be withdrawn.

Allowed Claims

The examiner previously indicated that claims 72-88 were allowable. The indication of allowability of these claims is appreciated. As set forth above, claims 72-79, 85, 86 and 88 have been further amended above to more concisely claim the invention, and correct inconsistencies within dependent claims. For example, it was noted that dependent claims 73-78 recited that they depend from "medium" claim 72, when in fact claim 72 is a method claim. Therefore dependent claims 73-78 have been amended to be consistent with base claim 72. Dependent claims 86 and 88 have also been amended to be consistent with base claim 85.

Further, the examiner may not have had the benefit of review of an English translation of the Hosoi et al. reference in making this allowability determination. Independent claim 72 requires "presenting to a user a menu providing a fast play option and a standard play option upon insertion of the medium in a player," among other limitations. Hosoi et al., as discussed above, makes no such presentation. Further, Hosoi et al. does not suggest playing data blocks in an uninterrupted sequence if not user input is received within a predetermined time. Instead, Hosoi et al teaches only automatic play of the DVD upon insertion of the DVD in the player. Amendments to independent claims 72, 79, and 85 have been made to more concisely and

clearly set forth Applicants' claimed invention. Thus it is believed that claims 72-88 remain allowable over this reference.

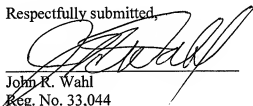
CONCLUSION

Claims 57 through 90 remain pending in the application. This amendment is believed to be responsive to all points in the Office Action. Support for the claim amendments again is found throughout Applicants' specification and, in particular, in paragraph [0037]. It is respectfully submitted that all of the Examiner's objections have been successfully traversed and that the application is now in order for allowance. Accordingly, reconsideration of the application and allowance thereof is courteously requested.

Should the examiner have any remaining questions or concerns he is urged to contact the undersigned attorney by telephone at (303)685-7460 in order to resolve such concerns expeditiously. The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to **Deposit Account Number 50-2638**. Please ensure that Attorney Docket Number 54317-029201 is referred to when charging any payments or credits for this case.

Respectfully submitted,

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